

Message Text

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ACTION SS-30

INFO OCT-01 ISO-00 SSO-00 NSCE-00 /031 W

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FM AMEMBASSY SAN JOSE

TO SECSTATE WASHDC IMMEDIATE 6492

C O N F I D E N T I A L SAN JOSE 1013

EXDIS

E.O. 11652: GDS

TAGS: PFOR, PGOV, CS

SUBJECT: NEW EXTRADITION BILL: SUGGESTED APPROACH

TO DANIEL ODUBER

REF: (A) STATE 034272

(B) SAN JOSE 0984

1. I AM ASKING TO SEE ACTING FONMIN SOLORZANO THIS AFTER NOON TO EXPRESS SURPRISE, CONCERN AND DISAPPOINTMENT OVER CONTENT AND HALDLING OF SUBJECT BILL. I PLAN TO ALLUED TO PENDING NEGOTIATIONS ON NEW EXTRADITION TREATY, AND TO SUGGEST THAT CERTAINLY THE ATMOSPHERE IF NOT ALSO THE SUBSTANCE OF THOSE NEGOTIATIONS WOULD BE AFFECTED BY THIS LAW IF ENACTED AND WE MIGHT THRERFORE HAVE EXPECTED TO BE CONSULTED ABOUT IT. I SHALL REQUEST GOCR OPINION ON LEGAL EFFECT OF BILL ON OUR PRESENT EXTRADITION TREATY, AND WILL POINT OUT THAT OPINION IN US WILL ALMOST SURELY VIEW BILL ADVERSELY AS PRO- VESCO.

2. EMBASSY ALSO EXPRESSING ITS CONCERN ABOUT BILL TO KEY DIPUTADOS INCLUDING ACTING ASSEMBLY PRESIDENT.

3. AS ANOTHER APPROACH TO HELP IMPRESS SERIOUSNESS WITH WHICH WE VIEW THIS MATTER ON GOCR I RECOMMEND THAT APPRO- PRIATE DEPARTMENT OFFICIAL TELEPHONE PRESIDENT-ELECT ODUBER IN SAN JUAN, PUERTO RICO TODAY OR TOMORROW
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(REFTEL B) TO EXPRESS OUR CONCERN. IT SEEMS TO ME THAT

IN ABSENCE OF LAZAR, MALMBERG MIGHT BE LOGICAL PERSON TO
DO THIS SINCE HE PARTICIPATED IN MEETING REPORTED REF (A).
I BELIEVE SUCH APPROACH FROM WASHINGTON RATHER THAN HERE
IS DESIRABLE BOTH FOR RELATIVE PRIVACY OF COMMUNICATION AND TO
EVOKE SPECIFICALLY THE SPIRIT OF THAT MEETING. SUGGESTED
APPROACH WOULD (A) TO ASK ODUBER WHETHER HE KNOWS ABOUT
THIS BILL (HE ALMOST CERTAINLY DOES, OF COURSE); (B) TO
EXPRESS OUR CONCERN ABOUT BILL AND LET HIM KNOW DEPART-
MENT REALIZES THAT SOME DEPUTIES LOYAL TO HIM ARE SUPPORT-
ING IT; AND (C) TO EXPRESS OUR CONCERN THAT ENACTMENT OF
THIS BILL AND PUBLICITY SURROUNDING IT CANNOT HELP BUT
ADVERSELY AFFECT FAVORABLE OPINION IN US ABOUT COSTA RICA
ON VIRTUAL EVE OF HIS INAUGRATION. OBVIOUSLY, WHILE
RESPECTING COSTA RICA'S INTERNAL SOVEREIGNTY ON
LEGISLATION, WE HOPE SOMETHING CAN BE DONE ABOUT THIS
FLAGRANT BILL.
LANE

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